

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) CAUSE NO.: 2:15-CR-87-JTM-PRC
)
LAVELLE AMMONS,)
Defendant.)

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON PLEA OF GUILTY BY DEFENDANT LAVELLE AMMONS**

TO: THE HONORABLE JAMES T. MOODY,
UNITED STATES DISTRICT COURT

Upon Defendant Lavelle Ammons' request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on March 16, 2016, with the consent of Defendant Lavelle Ammons, counsel for Defendant Lavelle Ammons, and counsel for the United States of America.

The hearing on Defendant Lavelle Ammons' plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Lavelle Ammons under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Lavelle Ammons,

I FIND as follows:

(1) that Defendant Lavelle Ammons understands the nature of the charges against him to which the plea is offered;

(2) that Defendant Lavelle Ammons understands his right to trial by jury, to persist in his plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and

his right against compelled self-incrimination;

(3) that Defendant Lavelle Ammons understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Lavelle Ammons understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Lavelle Ammons has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Lavelle Ammons is competent to plead guilty;

(6) that Defendant Lavelle Ammons understands that his answers may later be used against him in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Lavelle Ammons' plea; and further,

I RECOMMEND that the Court accept Lavelle Ammons' plea of guilty to the offense charged in the Indictment and that Defendant Lavelle Ammons be adjudged guilty of the offense charged in the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Lavelle Ammons be adjudged guilty, a sentencing date before Judge James T. Moody will be set by separate order. Objections to the Findings and Recommendation are waived unless filed and served within fourteen days. 28 U.S.C. § 636(b)(1).

SO ORDERED this 16th day of March, 2016.

s/ Paul R. Cherry

MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: Honorable James T. Moody